



111 BROADWAY, SUITE 1503, NEW YORK, NEW YORK 10006  
T 212.385.9700 || F 212.385.0800 || WWW.PELTONGRAHAM.COM

**BRENT E. PELTON, ESQ.**  
PELTON@PELTONGRAHAM.COM

APRIL 26, 2018

**VIA ECF**

Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza  
Brooklyn, NY 11201

**Re: *Claudio Cabrera, et al. v. Frost Restaurant Inc., et al.***  
**Civil Action No. 1:17 Civ. 2221 (MKB)(RLM)**

Dear Judge Mann:

This firm represents Plaintiff in the above-referenced action. We write, jointly with Defendants, in accordance with Your Honor's direction during the April 26, 2018 telephonic fairness hearing, to provide the Court with a revised settlement agreement, attached hereto as Exhibit A.

Following the April 26, 2018 telephone conference, the parties made the following revisions to their settlement agreement:

1. Corrected certain sentences in Paragraphs 3(c), (d) and (g) that inadvertently referred back to Paragraph 3 ("Representations and Warranties") such that they now refer to Paragraph 2 ("Wage and Hour Release");
2. Limited Paragraph 3(e) ("Separation of Employment") to Plaintiff's employment relationship with "Defendants" (instead of "Defendants/Releasees"); and
3. Removed certain language in Paragraph 7 ("Mutual Non-Disparagement") referring to "good faith statements made in the context of judicial, administrative, arbitration, mediation or other legal proceedings" such that the carve-out language now simply states that the parties are not precluded from "truthfully communicating their experiences concerning the Action or the Settlement."

We appreciate Your Honor's attention to this matter. Please contact the undersigned should you have any questions regarding this submission.

HON. ROANNE L. MANN

PAGE **2** OF **2**

Respectfully submitted,

*/s/ Brent E. Pelton*

Brent E. Pelton, Esq. of  
PELTON GRAHAM LLC

Encl.

cc: All counsel (via ECF)